

Agenda Item #

74

DISTRIBUTION
County Board
County Clerk-Tax Extension
County Administrator
Public Works

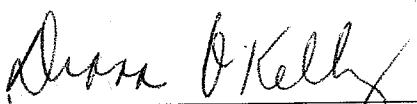
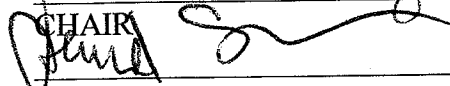
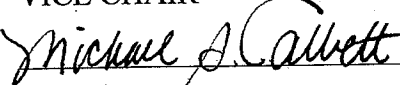
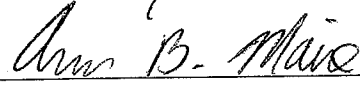
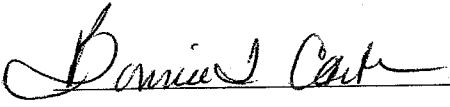
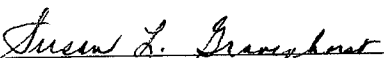
STATE OF ILLINOIS)
COUNTY OF LAKE) SS

COUNTY BOARD, LAKE COUNTY, ILLINOIS
ADJOURNED REGULAR SEPTEMBER A.D., 2007 SESSION
MAY 13, 2008 A.D., MEETING




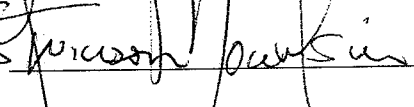

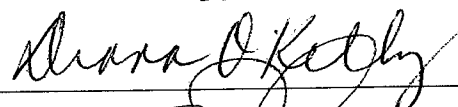

MADAM CHAIR AND MEMBERS OF THE COUNTY BOARD:

Your Public Works & Transportation and Financial & Administrative Committees present herewith an Ordinance Establishing the Lake County Special Service Area Number Fourteen, and request its adoption.

Respectfully submitted,

	Aye	Nay
CHAIR	✓	
	✓	
VICE CHAIR		
	✓	
	✓	
	✓	
	✓	

PUBLIC WORKS AND TRANSPORTATION
COMMITTEE

	Aye	Nay
CHAIR	X	
	✓	
VICE CHAIR		
	✓	
	X	
	✓	
	✓	
	X	

FINANCIAL AND ADMINISTRATIVE
COMMITTEE



Peter E. Kolb

Director

650 W. Winchester Road
Libertyville, Illinois 60048
Phone 847-377-7500
Fax 847-377-7173

May 7, 2008

ROUTING SLIP

County Board Office – Mary Otahal / Linda Wisch

I have enclosed one (1) original of the Ordinance Establishing the Lake County Special Service Area Number Fourteen (Oak Pond Lane).

- Please direct the original to County Board Chair Suzi Schmidt for signature.
- Please forward the original to the County Clerk's Office to be attested by Willard Helander.

Signature Tabs:

- Suzi Schmidt Red
- Willard Helander Yellow

Please return the signed and attested copy to:

**Lake County Public Works,
Attention Victoria Ostrander,
Executive Secretary.**

If you have any questions please contact me by phone or e-mail listed below. Thanks.

Victoria Ostrander
Executive Secretary
Lake County Public Works
vostrander@co.lake.il.us
847-377-7148

AN ORDINANCE ESTABLISHING LAKE COUNTY SPECIAL SERVICE AREA NUMBER FOURTEEN

WHEREAS, the creation of Lake County Special Service Area Number Fourteen was proposed by "An Ordinance Proposing Lake County Special Service Area Number Fourteen and Providing for a Public Hearing and Other Procedures in Connection Therewith," adopted by this County Board at their regularly scheduled meeting of February 12, 2008, for the purpose of providing regional sanitary sewer service within the area commonly known as Oak Pond Lane; and

WHEREAS, 55 ILCS 5/5-15001 *et seq.* confers the authority for counties to construct sanitary sewer systems in areas where such service does not exist for the unincorporated area of Lake County and any part thereof; and

WHEREAS, Section 7(6) of Article VII of the 1970 Constitution of the State of Illinois and the Special Service Area Tax Law, 35 ILCS 200/27-5 *et seq.* authorize the establishment of special service areas in order to provide special governmental services to certain areas within the County and authorize the imposition of a tax to pay for the providing of such special services and the issuance of bonds for providing such special services.

WHEREAS, pursuant to the aforementioned Ordinance of February 12, 2008, proposing Lake County Special Service Area Number Fourteen, the question of the establishment of Lake County Special Service Area Number Fourteen was considered at a public hearing held on March 11, 2008, by the County Board pursuant to notice duly published in the Waukegan News-Sun, a newspaper of general circulation within the County of Lake, Illinois, on February 22, 2008, which was at least 15 days prior to the hearing and also pursuant to notice by mail addressed to the person or persons in whose name(s) the general taxes of the last preceding year were paid on each lot, block, tract, or parcel of land lying within the proposed special service area; and

WHEREAS, said notice by mail was given by depositing said notice in the United States mail not less than ten (10) days prior to the time set for the public hearing. In the event taxes for the last preceding year were not paid, said notice was sent to the person last listed on the tax rolls prior to that year as the owner of said property. A Certificate of Publication of Notice and an Affidavit of Mailing of Notice are attached to this Ordinance as Exhibits A and B hereof, such notices conforming in all respects to the requirements of 35 ILCS 200/27-5 *et seq.*; and

WHEREAS, a public hearing on the questions set forth in said notices regarding creation of Lake County Special Service Area Number Fourteen was commenced, and finally adjourned, on March 11, 2008, at the County Building, 18 North County Street, Waukegan, IL, and attended by a

quorum of the Lake County Board; and

WHEREAS, all interested persons were given an opportunity to be heard on the questions of: 1) the formation of Lake County Special Service Area Number Fourteen, 2) the boundaries thereof, 3) the removal and/or abandonment of existing septic systems and construction and installation of a new sanitary sewer collection system and related restoration work within said territory to be included within the special service area, 4) the levying of taxes to finance the cost of the above-described work and improvements, 5) the appropriate allocation of such annual taxes among tracts and parcels within the proposed special service area pursuant to a special tax roll, 6) and the conditions for participating in the proposed special service area as more particularly set forth in this Ordinance; and

WHEREAS, the County Board did hear and consider all comments made at said hearing; and

WHEREAS, the provision of regional sewer service for Lake County Special Service Area Number Fourteen will specifically benefit the said area, and in addition will promote the health, safety, and welfare of the residents of Lake County as a whole, for the reason that said system will provide a safer and more appropriate, adequate, efficient, and environmentally responsible system for disposing of and treating sanitary sewage; and

WHEREAS, the territory within Lake County Special Service Area Number Fourteen is contiguous as required by the Special Service Area Act and located entirely in the unincorporated area of the County; and

WHEREAS, no petitions have been received objecting to the establishment of Lake County Special Service Area Number Fourteen.

NOW, THEREFORE, BE IT ORDAINED by the County Board of Lake County, State of Illinois, as follows:

Section One: Recitals The foregoing recitals are incorporated herein as if fully set forth.

Section Two: Territory to Be Included A special service area to be known and

designated as "Lake County Special Service Area Number Fourteen" is hereby established, which special service area shall consist of and include the property depicted on the map attached as Exhibit C to this Ordinance and described as follows:

Lot 1, commonly known as 15288 W. Oak Pond Lane, Libertyville, IL, Pin No. 1115407004, and Lot 2, commonly known as 15340 W. Oak Pond Lane, Libertyville, IL, Pin No. 1115407003, and Lot 7, commonly known as 15369 W. Oak Pond Lane, Libertyville, IL, Pin No. 1115407007, and Lot 8, commonly known as 15335 W. Oak Pond Lane, Libertyville, IL, Pin No. 1115407008, and Lot 9, commonly known as 15293 W. Oak Pond Lane, Libertyville, IL, Pin No. 1115407009, All Part of Oak Haven Estates, being a subdivision of part of the S ½ of Sec. 15, T. 44 N., R. 11 E. of the 3rd P.M. in Lake County, Illinois, Recorded October 30, 1972 as Document No. 1585403.

Section Three: Purpose The "Lake County Special Service Area Number Fourteen" is established to provide regional sanitary sewer service within said territory in the special service area in addition to the services provided within the unincorporated area of Lake County generally so as to provide a safer and more appropriate, adequate, efficient, and environmentally responsible system for disposing of and treating sanitary sewage. Specifically, Lake County Special Service Area Number Fourteen is created to finance: (1) removal and/or abandonment of existing septic systems; (2) construction and installation of a new sanitary sewer collection system; and (3) related restoration work within said territory in the special service area (collectively, the "Special Services").

Section Four: Special Tax Rolls The improvements and associated costs referred to in Section Three of this Ordinance shall be financed and payable from taxes levied and extended on real property in the special service area ("SSA Taxes"). In lieu of an ad valorem tax to be levied and extended within the area in the Lake County Special Service Area Number Fourteen for financing and paying for the aforesaid improvements and associated costs, the SSA Taxes shall be levied and extended pursuant to the special tax rolls established by Section Five of this Ordinance (the "Special Tax Rolls"). The Special Tax Rolls are based on equally dividing the annual levy of the SSA Taxes

on a per lot basis, it being the determination of the County Board that such an allocation reflects the actual utilization or potential utilization of the Special Services and is therefore fair and reasonable. The SSA Taxes shall be levied in addition to all other County taxes levied and extended upon the properties within the Lake County Special Service Area Number Fourteen. The Special Tax Rolls shall be used only for levying and extending SSA Taxes. The SSA Taxes shall be levied, extended, and used only for the purposes set forth in Section Three of this Ordinance.

Section Five: Annual SSA Taxes Except as provided in Section Six of this Ordinance, SSA Taxes in 20 annual installments (or 40 semi-annual installments) shall be levied and extended against the following tracts in the following amounts:

<u>Tract</u>	<u>Amount of Annual Tax</u>
Lot 1, 15288 W. Oak Pond Lane, Libertyville, IL, Pin No. 1115407004	\$2,785
Lot 2, 15340 W. Oak Pond Lane, Libertyville, IL, Pin No. 1115407003	\$2,785
Lot 7, 15369 W. Oak Pond Lane, Libertyville, IL, Pin No. 1115407007	\$2,785
Lot 8, 15335 W. Oak Pond Lane, Libertyville, IL, Pin No. 1115407008	\$2,785
Lot 9, 15293 W. Oak Pond Lane, Libertyville, IL, Pin No. 1115407009	\$2,785
<hr/>	
ANNUAL TOTAL:	\$13,925

The County shall cause annual or semi-annual tax bills to be issued to the owners of all taxable tracts or parcels within Lake County Special Service Area Number Fourteen based on the Special Tax Rolls set forth in this Section. The SSA Taxes shall be included in the general real estate tax bill for each tract or parcel or in a separately issued tax bill as permitted by statute. Payment of annual or semi-annual tax bills shall be due at the time general real estate bills are due.

Any SSA Taxes that are not paid when due shall, until paid in full, be assessed interest on the amount overdue at the maximum rate set by law for delinquent taxes, or if not such rate has been set, at the rate of 8.0% per annum.

Section Six: Prepayment (a) Notwithstanding the Special Tax Rolls in Section Five of this Ordinance, the full outstanding balance of SSA Taxes to be levied and extended upon any lot within Lake County Special Service Area Number Fourteen may be prepaid in accordance with the Section. Upon any such prepayment, no additional SSA Taxes will be levied upon the lot for which prepayment has been received.

(b) The owner of any lot within Lake County Special Service Area Number Fourteen may prepay in full the remaining SSA Taxes to be levied and extended upon such lot by delivering to the Lake County Administrator a prepayment based upon the date and amount set forth in columns A and B of Table 6-1 below. Upon receipt of such prepayment, the County Administrator is required and directed (i) to issue the owner of such lot a receipt for such prepayment, and (ii) exclude such lot from any future levy or extension of SSA Taxes occurring on or after the date in column C of Table 6-1. Delivery of such prepayment will not relieve the owner of such lot from paying any SSA Taxes levied or to be levied prior to the date set forth in column C of Table 6-1, even if such SSA Taxes will not be due or payable until after the date set forth in column C of Table 6-1.

TABLE 6-1

A	B	C
For Any Prepayment Delivered by October 31 in the Year	The Prepayment Amount Will Be	And No Additional SSA Taxes Will Be Levied or Extended Upon the Owner's Lot after December 31, in the Year
2008	\$34,700.00	2008
2009	\$33,600.00	2009
2010	\$32,500.00	2010
2011	\$31,300.00	2011
2012	\$30,100.00	2012
2013	\$28,800.00	2013
2014	\$27,400.00	2014
2015	\$26,000.00	2015
2016	\$24,500.00	2016
2017	\$22,900.00	2017
2018	\$21,200.00	2018
2019	\$19,500.00	2019
2020	\$17,700.00	2020
2021	\$15,800.00	2021
2022	\$13,800.00	2022
2023	\$11,700.00	2023
2024	\$ 9,500.00	2024
2025	\$ 7,100.00	2025
2026	\$ 4,600.00	2026
2027	\$ 2,785.00	2027

Upon any prepayment of the SSA Taxes for any lot pursuant to this Section Six, the SSA Taxes shall cease to be a lien on such lot, and the County Administrator shall, within 14 days following the written request of the owner of such tract or parcel, provide a written certificate evidencing the release of the lien of such SSA Taxes.

ADOPTED this 13th day of May, 2008 pursuant to a roll call vote as follows:

AYES:

NAYS:

Suzi Schmidt, Chairman
Lake County Board

ATTEST:

Willard R. Helander, County Clerk

EXHIBITS

Exhibit A Certificate of Publication of Notice

Exhibit B Affidavit of Mailing of Notice

Exhibit C Map of Territory Included Within Lake County Special Service Area Number
Fourteen

RECEIVED

FEB 29 2008

LAKE COUNTY PUBLIC WORKS

Suburban Chicago Newspapers

Certificates of Publication

State of Illinois - County of ☐ Cook ☐ Kane ☒ Lake ☐ McHenry
☐ DuPage ☐ Will

Suburban Chicago Newspapers does hereby certify it has published the attached advertisements in the following secular newspapers. All newspapers meet Illinois Compiled Statute requirements for publication of Notices per Chapter 715 ILCS 5/0.01 et seq. R.S. 1874 P728 Sec 1, EFF. July 1, 1874. Amended By Laws 1959, P1494, and EFF. July 17, 1959. Formerly Ill. Rev. Stat. 1991, CH100, P1...

Note: Legal Notice appeared in the following checked positions.

PUBLICATION DATE(S): 2/22/08 TO
1 DAYS

Daily Papers

☐ The Beacon News

☐ The Courier News

☐ The Herald News

☒ Lake County News-Sun

☐ The Naperville Sun

Weekly Papers

☐ Batavia Sun

☐ Bolingbrook Sun

☐ Downers Grove Sun

☐ Fox Valley Villages Sun

☐ Geneva Sun

☐ Glen Ellyn Sun

☐ Homer Township/Lockport/Lemont Sun

☐ Lincoln Way Sun

☐ Lisle Sun

☐ Plainfield Sun

☐ St. Charles Sun

☐ Wheaton Sun

IN WITNESS WHEREOF, the undersigned, being duly authorized, has caused this Certificate to be signed and its official seal affixed at Waukegan, Illinois

By

John G. Bieschke

John G. Bieschke

Legal Advertising Manager (Official Title)

Subscribed and sworn to before me this 27 Day of February A.D. 2008

Rosemary J. Alfredson

Notary Public

Account # 600026117 \$ 158.08

NOTICE OF PUBLIC HEARING COUNTY OF LAKE

SPECIAL SERVICE AREA NUMBER FOURTEEN

Notice is hereby given that on March 11, 2008 at 9:00 AM at the County Building, 18 N. County Street, Waukegan, IL a hearing will be held by the County Board of Lake County, Illinois, to consider forming Lake County Special Service Area No. Fourteen consisting of the following described territory:

SPECIAL SERVICE AREA NO. FOURTEEN OAK POND LANE LEGAL DESCRIPTION

Lots within boundaries of Special Service Area #14, described as follows:

Lot 1, commonly known as 15288 W. Oak Pond Lane, Libertyville, IL, Pin No. 1115407004, and
Lot 2, commonly known as 15340 W. Oak Pond Lane, Libertyville, IL, Pin No. 1115407003, and
Lot 7, commonly known as 15369 W. Oak Pond Lane, Libertyville, IL, Pin No. 1115407007, and
Lot 8, commonly known as 15335 W. Oak Pond Lane, Libertyville, IL, Pin No. 1115407008, and
Lot 9, commonly known as 15293 W. Oak Pond Lane, Libertyville, IL, Pin No. 1115407009.

All Part of Oak Haven Estates, being a subdivision of part of the S 1/2 of Sec. 15, T. 44 N., R. 11 E. of the 3rd P.M. in Lake County, Illinois, Recorded October 30, 1972 as Document No. 1585403.

The purpose of the public hearing is:

(1) To consider establishing Special Service Area No. Fourteen to provide special services to remove and/or abandon existing septic systems, construct and install a new sanitary sewage collection system, and provide restoration work related thereto within the described contiguous territory in said area; and

(2) To consider the levy of a direct annual tax within the proposed Special Service Area No. Fourteen, as described sufficient to produce a maximum of \$15,000 annually. Said taxes are to be levied upon all taxable property within the proposed Lake County Special Service Area No. Fourteen, as herein described, and said taxes shall be in addition to any other taxes provided by law.

All interested persons including all persons owning taxable real property located within the proposed special service area, affected by the formation of Lake County Special Service Area No. Fourteen, will be given the opportunity to be heard at the hearing regarding the formation of such area, its boundaries, and the taxes to be levied, and will be given an opportunity to file objections to the formation of such area, its boundaries, and the taxes to be levied. Those persons wishing to be heard at the hearing should contact the Lake County Administrator's Office, 18 N. County Street, Waukegan, IL 60085 (phone 847-377-2250), to schedule such presentations before the close of business on March 10, 2008. Those persons unable to attend the hearing may file written presentations with the County Clerk, 18 N. County Street, Waukegan, IL 60085, by the close of business on March 10, 2008 for entry upon hearing minutes. The hearing may be adjourned by the County Board to another date without further notice other than a motion to be entered upon the minutes of said meeting fixing the time and place of its adjournment.

If a petition signed by at least 51% of the electors residing within the proposed special service area and by at least 51% of the owners of record of the land included within the boundaries of the proposed special service area is filed with the County Clerk within 60 days following the final adjournment of the public hearing, objecting to the creation of the proposed special service area, or the levy or imposition of a tax for the provision of special services to the area, no such area may be created, nor tax levied or imposed.

DATED: This 22nd day of February, 2008.

Willard R. Helander, County Clerk
Lake County, Illinois

Publish: February 22, 2008
0300572976-01

OFFICIAL SEAL

ROSEMARY J. ALFREDSON
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES 04/06/08

EXHIBIT B

Affidavit of Mailing of Notice

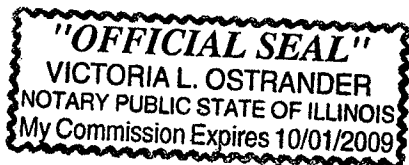
The undersigned, Philip M. Perna, being first duly sworn, on oath states that he did cause the "Notice of Hearing, County of Lake Special Service Area Number Fourteen" attached hereto as Exhibit B-1 to be served by certified mail to the persons and addresses appearing below, by depositing said Notice in the United States mail at 18 North County Street, Waukegan, Illinois 60085, before the hour of 5:00 p.m. on February 22, 2008, with postage prepaid:

Lot 1, commonly known as 15288 W. Oak Pond Lane, Libertyville, IL, Pin No. 1115407004, and
Lot 2, commonly known as 15340 W. Oak Pond Lane, Libertyville, IL, Pin No. 1115407003, and
Lot 7, commonly known as 15369 W. Oak Pond Lane, Libertyville, IL, Pin No. 1115407007, and
Lot 8, commonly known as 15335 W. Oak Pond Lane, Libertyville, IL, Pin No. 1115407008, and
Lot 9, commonly known as 15293 W. Oak Pond Lane, Libertyville, IL, Pin No. 1115407009,

Philip M. Perna
Name

SUBSCRIBED AND SWORN TO
BEFORE ME THIS 25th DAY
OF April, 2008.

Victoria L. Ostrander
Notary Public





Peter E. Kolb
Director

650 W. Winchester Road
Libertyville, Illinois 60048
Phone 847-377-7500
Fax 847-377-7173

February 22, 2008

John & Danette Lemm
15369 W Oak Pond Ln
Libertyville IL 60048

Re: Notice of Public Hearing

Dear John & Danette Lemm:

Enclosed for your information is a Notice of Hearing regarding the proposed Special Service Area No. 14 for the Oak Pond Lane Sanitary Sewer installation. As indicated in the notice, a public hearing will be held before the Lake County Board on Tuesday, March 11, 2008 at approximately 9:00 a.m. at the Lake County Building.

The purpose of the hearing is to consider SSA No. 14 to provide sanitary sewer to the properties on Oak Pond Lane. All interested persons will be given the opportunity to be heard.

Please contact me if you have any questions regarding this issue.

Sincerely,

LAKE COUNTY PUBLIC WORKS DEPARTMENT

Philip M. Perna, P.E.
Assistant Director

Encl.
PMP/vo





Peter E. Kolb
Director

650 W. Winchester Road
Libertyville, Illinois 60048
Phone 847-377-7500
Fax 847-377-7173

February 22, 2008

George & Kelly Fragassi
15293 W Oak Pond Ln
Libertyville IL 60048

Re: Notice of Public Hearing

Dear George & Kelly Fragassi:

Enclosed for your information is a Notice of Hearing regarding the proposed Special Service Area No. 14 for the Oak Pond Lane Sanitary Sewer installation. As indicated in the notice, a public hearing will be held before the Lake County Board on Tuesday, March 11, 2008 at approximately 9:00 a.m. at the Lake County Building.

The purpose of the hearing is to consider SSA No. 14 to provide sanitary sewer to the properties on Oak Pond Lane. All interested persons will be given the opportunity to be heard.

Please contact me if you have any questions regarding this issue.

Sincerely,

LAKE COUNTY PUBLIC WORKS DEPARTMENT

Philip M. Perna, P.E.
Assistant Director

Encl.
PMP/vo



Peter E. Kolb
Director

650 W. Winchester Road
Libertyville, Illinois 60048
Phone 847-377-7500
Fax 847-377-7173

February 22, 2008

Robert & Pauline Schwarz
15288 W Oak Pond Ln
Libertyville IL 60048

Re: Notice of Public Hearing

Dear Robert & Pauline Schwarz:

Enclosed for your information is a Notice of Hearing regarding the proposed Special Service Area No. 14 for the Oak Pond Lane Sanitary Sewer installation. As indicated in the notice, a public hearing will be held before the Lake County Board on Tuesday, March 11, 2008 at approximately 9:00 a.m. at the Lake County Building.

The purpose of the hearing is to consider SSA No. 14 to provide sanitary sewer to the properties on Oak Pond Lane. All interested persons will be given the opportunity to be heard.

Please contact me if you have any questions regarding this issue.

Sincerely,

LAKE COUNTY PUBLIC WORKS DEPARTMENT

Philip M. Perna, P.E.
Assistant Director

Encl.
PMP/vo



Peter E. Kolb
Director

660 W. Winchester Road
Libertyville, Illinois 60048
Phone 847-377-7500
Fax 847-377-7173

February 22, 2008

Ralph Parmerski
15340 W Oak Pond Ln
Libertyville IL 60048

Re: Notice of Public Hearing

Dear Ralph Parmerski:

Enclosed for your information is a Notice of Hearing regarding the proposed Special Service Area No. 14 for the Oak Pond Lane Sanitary Sewer installation. As indicated in the notice, a public hearing will be held before the Lake County Board on Tuesday, March 11, 2008 at approximately 9:00 a.m. at the Lake County Building.

The purpose of the hearing is to consider SSA No. 14 to provide sanitary sewer to the properties on Oak Pond Lane. All interested persons will be given the opportunity to be heard.

Please contact me if you have any questions regarding this issue.

Sincerely,

LAKE COUNTY PUBLIC WORKS DEPARTMENT

Philip M. Perna, P.E.
Assistant Director

Encl.
PMP/vo



Peter E. Kolb
Director

650 W. Winchester Road
Libertyville, Illinois 60048
Phone 847-377-7500
Fax 847-377-7173

February 22, 2008

Christopher & Cheryl Wegren
15335 W Oak Pond Ln
Libertyville IL 60048

Re: Notice of Public Hearing

Dear Christopher & Cheryl Wegren:

Enclosed for your information is a Notice of Hearing regarding the proposed Special Service Area No. 14 for the Oak Pond Lane Sanitary Sewer installation. As indicated in the notice, a public hearing will be held before the Lake County Board on Tuesday, March 11, 2008 at approximately 9:00 a.m. at the Lake County Building.

The purpose of the hearing is to consider SSA No. 14 to provide sanitary sewer to the properties on Oak Pond Lane. All interested persons will be given the opportunity to be heard.

Please contact me if you have any questions regarding this issue.

Sincerely,

LAKE COUNTY PUBLIC WORKS DEPARTMENT

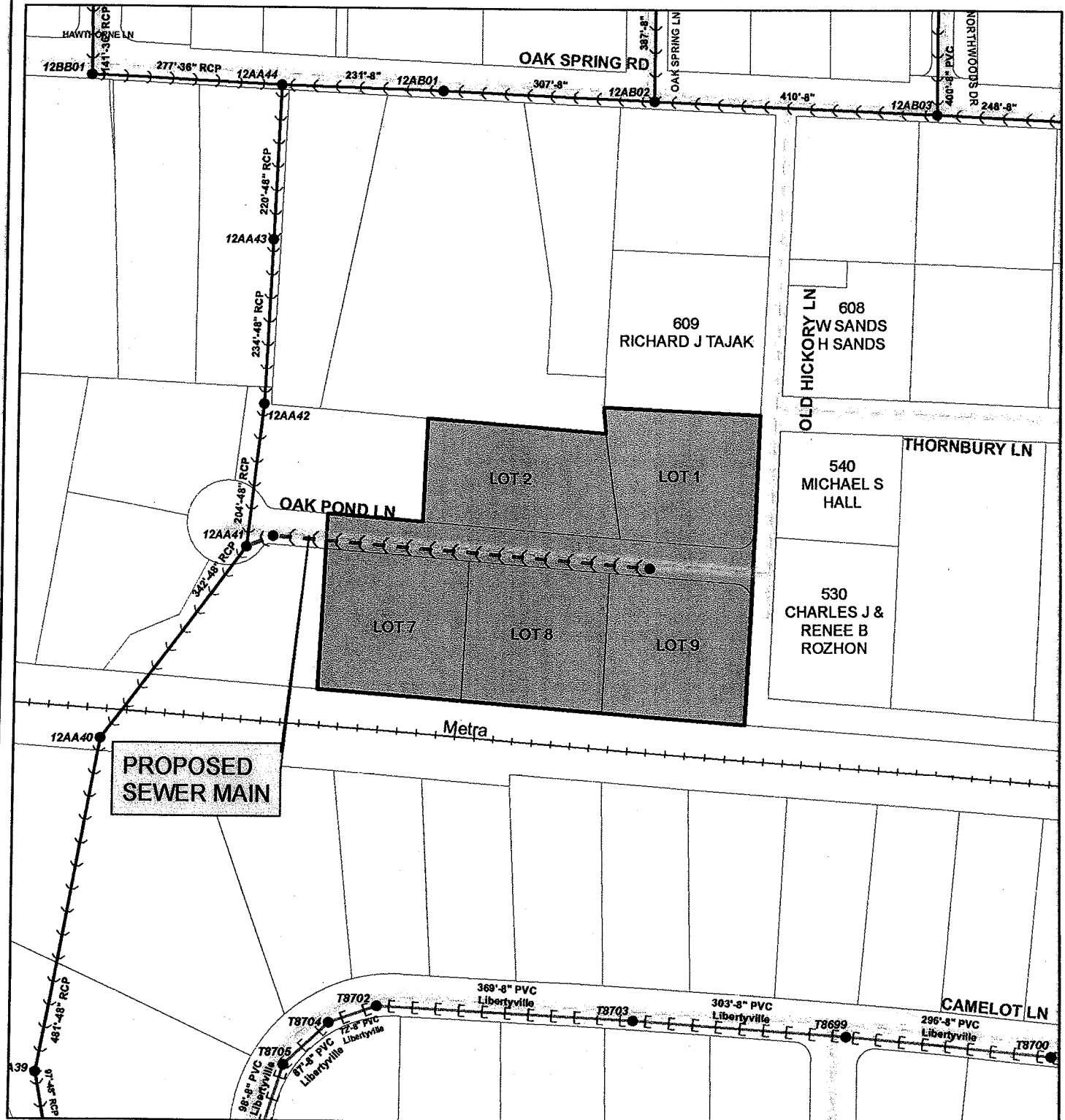
Philip M. Perna, P.E.
Assistant Director

Encl.
PMP/vo

SPECIAL SERVICE AREA NO. 14

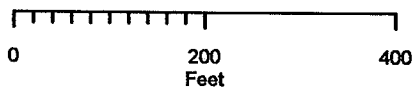
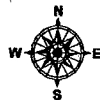
OAK POND LANE

EXHIBIT C



LakeCounty

Department of Public Works
650 West Winchester Road
Libertyville, Illinois 60048
(847) 377-7500
(847) 377-7173 FAX



JANUARY 2008